

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X	
Theresa Andriulli, Jane Doe, individually and on	:
behalf of all others similarly situated,	: Case No. 7:19-cv-05165-VB
	:
Plaintiffs,	: Hon. Vincent L. Briccetti
	:
v.	: <u>NOTICE OF</u>
	: <u>MOTION TO DISMISS</u>
Danone North America, LLC,	:
	: Oral Argument Requested
Defendant.	:
	:
	:
----- X	

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of Danone North America, LLC's ("Danone") Motion to Dismiss and upon all prior pleading and proceedings before this Court, Danone will move this Court before the Honorable Vincent L. Briccetti, Courtroom 620, 300 Quarropas St., White Plains, New York 10601-4150, for an Order pursuant to Federal Rule of Civil Procedure 12(b)(6), dismissing the Complaint in its entirety with prejudice (the "Motion").

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 6.1(b) of the Local Rules of the Southern District of New York, Plaintiff must serve any opposing affidavits and answering memorandum on Danone within fourteen (14) days after service of the Motion.

Dated: October 25, 2019

Respectfully submitted,

VENABLE LLP

By: /s/ Angel A. Garganta
Angel A. Garganta (*pro hac vice*)
Amit Rana (*pro hac vice*)
101 California Street, Suite 3800
San Francisco, CA 94111
Tel: 415.653.3750
Fax: 415.653.3755

Elise M. Gabriel
1270 Avenue of the Americas
24th Floor
New York, New York 10020
Tel.: 212-307-5500
Fax: 212-307-5598

*Attorneys for Defendant Danone North
America, LLC*